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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/829,489	04/22/2004	Paul Friedli	16715	6918
43935 7590 09/17/2008 FRASER CLEMENS MARTIN & MILLER LLC 28366 KENSINGTON LANE PERRYSBURG, OH 43551				
EXAMINER TRUONG, THANHNGA B				
ART UNIT 2135		PAPER NUMBER		
NOTIFICATION DATE 09/17/2008		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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### Office Action Summary

**Application No.**

10/829,489

**Applicant(s)**

FRIEDLI ET AL.

**Examiner**

Thanhnga B. Truong

**Art Unit**

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 August 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 15, 2008 has been entered. Claims 1-19 are pending. Claims 1 and 2 have amended and claim 19 is newly added by the applicant. At this time, claims 1-19 are still rejected.

### ***Response to Arguments***

2. Applicant's arguments filed July 16, 2008, with respect to the rejection(s) of claim(s) 1-6 under **35 USC § 112** have been fully considered and persuasive due to new amended claims. Thus previous rejection under **35 USC § 112** has been withdrawn.

Applicant's arguments filed July 16, 2008, with respect to the rejection(s) of claim(s) 1-4, 7-18 under **35 USC § 102** have been fully considered but they are not persuasive. New citation of prior art is addressed in this office action.

The fact that Examiner may not have specifically responded to any particular arguments made by Applicant and Applicant's Representative, should not be construed as indicating Examiner's agreement therewith.

For the above reasons, it is believed that the rejections should be sustained.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-4, 7-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Svensson-Hilford et al (US 6,354,405 B1).

a. Referring to claim 1:

i. Svensson-Hilford teaches a method for security checking or transport of persons by an elevator installation comprising the steps of:

(1) generating at least one authentication signal associated with a person seeking to use the elevator installation (**column 2, lines 36-40; and line 66 through column 3, line 4 of Svensson-Hilford**);

(2) detecting the at least one authentication signal with a mobile authentication device (**column 4, lines 6-14; lines 28-35 of Svensson-Hilford**);

(3) the mobile authentication device checking the at least one authentication signal with at least one person reference (**column 4, lines 28-35 of Svensson-Hilford**);

(4) in the case of correspondence of the authentication signal and the person reference, the mobile authentication device providing at least one identification code (**column 4, lines 6-14; lines 28-35 of Svensson-Hilford**);

(5) detecting the at least one identification code with a stationary recognition device of the elevator installation (**column 4, lines 6-14; lines 28-35 of Svensson-Hilford**);and

(6) assigning to the identification code one of a predefined travel destination and an input travel destination input at the recognition device by the person (**column 4, lines 6-14; lines 28-35 of Svensson-Hilford**);

b. Referring to claim 2:

i. Svensson-Hilford further teaches:

(1) including supplying the mobile authentication device with electrical power from at least one energy source external to the authentication device (**column 2, lines 30-40 of Svensson-Hilford**).

c. Referring to claim 3:

i. Svensson-Hilford further teaches:

(1) including selecting as the authentication signal a biometric signal being one of a fingerprint, a hand geometry, a facial profile, an iris pattern, a retinal scan, a thermogram, a smell, a voice, a signature and pressing of a button **(column 4, lines 6-14; lines 28-35 of Svensson-Hilford)**.

d. Referring to claim 4:

i. Svensson-Hilford further teaches:

(1) including checking whether at least one user reference exists for the detected identification code **(column 4, lines 28-35 of Svensson-Hilford)**.

e. Referring to claim 5:

i. Svensson-Hilford further teaches:

(1) including comparing the input travel destination with at least one access authorization for generating one of a control signal **(column 2, lines 36-40; and column 4, lines 28-44 of Svensson-Hilford)**.

f. Referring to claim 6:

i. Svensson-Hilford further teaches:

(1) including comparing the input travel destination with a list of travel destinations of an access authorization for generating one of a control signal **(column 2, lines 36-40; and column 4, lines 28-65 of Svensson-Hilford)**.

g. Referring to claim 7:

i. Svensson-Hilford teaches a system for security checking or transport of persons by an elevator installation comprising:

(1) a mobile authentication device adapted to be carried by a person, said authentication device detecting an authentication signal of the person and checking whether said authentication signal corresponds with a person reference, said authentication device generating an identification code when said authentication signal corresponds to said person reference **(column 2, line 66 through column 3, line 4; column 4, lines 6-14; lines 28-35 of Svensson-Hilford)**;

(2) a stationary recognition device of the elevator installation for detecting said identification code (**column 2, line 66 through column 3, line 4 of Svensson-Hilford**); and

(3) a checking device connected to said recognition device for assigning to said identification code one of a predefined travel destination and an input travel destination input at said recognition device by the person to generate a control signal for the elevator installation (**column 2, lines 36-40; and column 3, line 55 through column 4, line 35 of Svensson-Hilford**).

h. Referring to claim 8:

i. Svensson-Hilford further teaches:

(1) wherein said authentication device includes a sensor for generating said authentication signal in the presence of the person (**column 2, lines 35-40 of Svensson-Hilford**).

i. Referring to claim 9:

i. Svensson-Hilford further teaches:

(1) wherein said sensor is a camera for detecting at least one of a fingerprint, a hand geometry, a facial profile, an iris profile, a retinal scan and a signature of the person (**column 2, lines 35-40; column 4, lines 28-35 of Svensson-Hilford**).

j. Referring to claim 10:

i. Svensson-Hilford further teaches:

(1) wherein said sensor is one of a thermal camera for detecting a thermogram of the person, a smell sensor for detecting a smell of the person, a microphone for detecting a voice of the person, and a button for detecting pressing of the button by the person (**column 2, lines 35-40; column 4, lines 28-35 of Svensson-Hilford**).

k. Referring to claim 11:

i. Svensson-Hilford further teaches:

(1) wherein said authentication device is adapted to be powered by an external energy source (**column 2, lines 30-40 of Svensson-Hilford**).

l. Referring to claim 12:

i. Svensson-Hilford further teaches:

(1) wherein said authentication device includes a transmitting and receiving unit and said recognition device includes a transmitting and receiving unit for communicating said identification code (**column 4, lines 6-14; lines 28-35 of Svensson-Hilford**).

m. Referring to claim 13:

i. Svensson-Hilford further teaches:

(1) wherein said authentication device includes a data store for storing said person reference and compares said person reference with said authentication signal to generate said identification code (**column 4, lines 6-14; lines 28-44 of Svensson-Hilford**).

n. Referring to claim 14:

i. Svensson-Hilford further teaches:

(1) wherein said authentication device includes a data store for storing said identification code prior to detecting said authentication signal (**column 4, lines 6-14; lines 28-44 of Svensson-Hilford**).

o. Referring to claim 15:

i. Svensson-Hilford further teaches:

(1) wherein said recognition device includes input means for receiving said input travel destination from the person (**column 4, lines 6-14; lines 28-35 of Svensson-Hilford**).

p. Referring to claim 16:

i. Svensson-Hilford further teaches:

(1) wherein said checking device includes a data store for storing said predefined travel destination (**column 4, lines 6-14; lines 28-44 of Svensson-Hilford**).

q. Referring to claim 17:

i. Svensson-Hilford further teaches:

(1) wherein said checking device includes a data store for storing a user reference and compares said user reference with said identification code to generate said control signal (**column 2, lines 36-40; and column 4, lines 6-14; lines 28-44 of Svensson-Hilford**).

r. Referring to claim 18:

i. Svensson-Hilford further teaches:

(1) wherein said checking device includes a data store for storing an access authorization and compares said access authorization with one of said predefined travel destination and said input travel destination to generate said control signal (**column 2, lines 36-40; and column 4, lines 6-14; lines 28-44 of Svensson-Hilford**).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 5-6 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Svensson-Hilford et al (US 6,354,405 B1), and further in view of Gazdzinski (US 6,615,175 B1).

a. Referring to claim 5:

i. Although Svensson-Hilford teaches including comparing the input travel destination with at least one access authorization for generating one of a control signal (**column 2, lines 36-40; and column 4, lines 28-44 of Svensson-Hilford**), Svensson-Hilford is silent on the capability of generating the alarm signal. On the other hand, Gazdzinski teaches this limitation in column 17, lines 35-47 of Gazdzinski.

iii. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to:



(1) have modified the invention of Svensson-Hilford with the teaching of Gazdzinski for providing an improved elevator information and control system and method of operating the same (**column 2, lines 66-67 of Gazdzinski**).

iv. The ordinary skilled person would have been motivated to:

(1) have modified the invention of Svensson-Hilford with the teaching of Gazdzinski to provides an improved elevator information and control system which enables an user to rapidly locate a desired firm or individual (**column 3, lines 1-3 of Gazdzinski**).

b. Referring to claim 6:

i. Although Svensson-Hilford teaches including comparing the input travel destination with a list of travel destinations of an access authorization for generating one of a control signal (**column 2, lines 36-40; and column 4, lines 28-65 of Svensson-Hilford**), Svensson-Hilford is silent on the capability of generating the alarm signal. On the other hand, Gazdzinski teaches this limitation in column 17, lines 35-47 of Gazdzinski.

iii. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to:

(1) have modified the invention of Svensson-Hilford with the teaching of Gazdzinski for providing an improved elevator information and control system and method of operating the same (**column 2, lines 66-67 of Gazdzinski**).

iv. The ordinary skilled person would have been motivated to:

(1) have modified the invention of Svensson-Hilford with the teaching of Gazdzinski to provides an improved elevator information and control system which enables an user to rapidly locate a desired firm or individual (**column 3, lines 1-3 of Gazdzinski**).

c. Referring to claim 19:

i. This claim has limitations that is similar to those of claims 1-6, thus it is rejected with the same rationale applied against claims 1-6 above.

### **Conclusion**

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7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanhnga (Tanya) Truong whose telephone number is 571-272-3858.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached at 571-272-3859. The fax and phone numbers for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

/Thanhnga B. Truong/

Primary Examiner, Art Unit 2135

TBT

September 12, 2008